

PROB 12C
(7/93)

Report Date: August 27, 2010

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SEP 01 2010

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Llewellyn K Lucei

Case Number: 2:03CR02184-001 -RHW

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: 5/18/2004

Original Offense: Crime on Indian Reservation - Burglary, 18 U.S.C. § 1153 & 13 and R.C.W. 9A.52.020

Original Sentence: Prison - 24 Months; TSR - 48 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Gregory M. Shogren

Date Supervision Commenced: 8/5/2010

Defense Attorney: Kraig Gardner

Date Supervision Expires: 12/4/2011

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Mr. Lucei was charged with open/consume/posses/liquor in public, Wapato Municipal Court cause number C00015036, on August 13, 2010.

A police report has been requested.

- 2 **Standard Condition # 11:** The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.

Supporting Evidence: Mr. Lucei failed to notify his probation officer within 72 hours of having law enforcement contact after being charged with open/consume/posses/liquor in public on August 13, 2010.

On August 27, 2010, a records check was conducted which revealed Mr. Lucei was charged with open/consume/posses/liquor in public on August 13, 2010.

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3 **Special Condition # 16:** You shall abstain from the use of alcohol and illegal controlled substances, and shall submit to urinalysis testing, including Breathalyzer testing, as directed by the supervising probation officer.

Supporting Evidence: Mr. Lucei failed to report to Merit Resource Service to submit to a random drug test on August 24, 2010.

4 **Special Condition # 15:** You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

Supporting Evidence: Mr. Lucei has failed to obtain a substance abuse evaluation at Merit Resource Services as directed by his probation officer as of August 27, 2010.

5 **Standard Condition # 6:** The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.

Supporting Evidence: Mr. Lucei failed to notify his probation officer of a change in residence as of August 27, 2010.

 On August 25, 2010, this officer spoke with Mr. Lucei's daughter who advised that the defendant is not residing at 110 Elm Street in White Swan, Washington. She further reported she has not seen her father since his release from custody 1½ weeks and does not know of his current whereabouts.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

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I declare under penalty of perjury that the foregoing is true and correct.

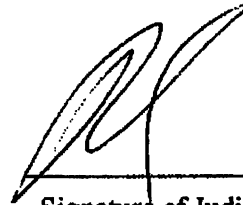
Executed on: 08/27/2010

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

8/31/10

Date